

ITEM: 9

SUBJECT: The Ma-Ru Holding Company, Inc. and Bonzi Sanitation Landfill, Stanislaus County

BOARD ACTION: *Consideration of Amendment No. 2 to Cleanup and Abatement Order R5-2006-0721*

BACKGROUND: The Bonzi Sanitation Landfill began accepting wastes in 1967. Waste was discharged into unlined excavations that are, at times, inundated by groundwater. These practices have led to pollution of the groundwater by volatile organic compounds (VOCs). The Discharger has been subject to numerous Regional Water Board Orders to investigate and remediate the plume; however, the Discharger has a long history of noncompliance. Currently, the extent of the plume is undefined, and the undersized groundwater extraction/treatment system is not capable of preventing additional VOCs from migrating past the landfill's property boundary.

The landfill is directly upgradient of the Riverdale community, an economically disadvantaged community that relies on a single well to provide drinking water to approximately 300 people. The Discharger is required to sample the Riverdale well on a semi-annual basis. No landfill VOCs have been found in this well to date. There are also four individual domestic wells downgradient of the landfill; the Discharger is also required to sample these wells on a semi-annual basis.

The Discharger has not complied with its 2006 Cleanup and Abatement Order (CAO), in particular, the requirement that the groundwater extraction system be upgraded to fully capture the plume. In addition the Discharger did not submit quarterly groundwater monitoring reports between January and November 2008. Therefore, on 3 December 2008, the Executive Officer signed Amendment No. 1 to the CAO, requiring the Discharger to provide an alternate water supply to any domestic or municipal well downgradient of the Bonzi landfill that contains VOC concentrations exceeding applicable drinking water limits.

The Discharger has petitioned the Amendment to the State Water Board and also asked that the Amendment be heard before the Regional Water Board. The State Board has stayed the petition pending the Regional Board's hearing at the request of the petitioner and staff.

Regional Water Board staff has prepared a revised Amendment (No. 2) for the Board's consideration. Amendment No. 2 rescinds Amendment No. 1, clarifies several items, and incorporates relevant portions of the Discharger's 31 December 2008 work plan. Amendment No. 2 requires that the Discharger have a plan

in place to provide City of Modesto drinking water to the Riverdale community if landfill pollutants are found the community's supply well above drinking water standards. The City of Modesto already has a water supply line to the community, so city water can be readily provided, if necessary. The Amendment also requires the Discharger to provide replacement water service if landfill pollutants are found above drinking water standards in any of the four individual domestic wells downgradient of the landfill.

RECOMMENDATION: Adopt the proposed Amendment No. 2.

Mgmt. Review_____

Legal Review_____

5 February 2009
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